

ORDINANCE NO. 12-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Cornerstone Builders, LLC, is the owner of the property across which said easement lies; that said easement or portion being vacated is not presently used and are no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
)
COUNTY OF MADISON)

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **CORNERSTONE BUILDERS, L.L.C.**, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

ALL THAT PART OF LOT 2 ACCORDING TO THE RECORD PLAT OF KINGSBURY ESTATES AS RECORDED IN DOCUMENT NUMBER 20100819000465720 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA.

PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREE 08 MINUTES 55 SECONDS EAST 15.01 FEET; THENCE NORTH 88 DEGREES 41 MINUTES 58 SECONDS EAST 4.00 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING NORTH 01 DEGREE 08 MINUTES 55 SECONDS EAST 129.19 FEET; THENCE NORTH 87 DEGREES 54 MINUTES 53 SECONDS EAST 1.00 FEET; THENCE SOUTH 01 DEGREE 08 MINUTES 55 SECONDS WEST 129.20 FEET; THENCE SOUTH 88 DEGREES 41 MINUTES 58 SECONDS WEST 1.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 129 SQUARE FEET, MORE OR LESS.

ALSO:

ALL THAT PART OF LOT 2 ACCORDING TO THE RECORD PLAT OF KINGSBURY ESTATES AS RECORDED IN DOCUMENT NUMBER 20100819000465720 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA.

PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREE 28 MINUTES 16 SECONDS WEST 15.00 FEET; THENCE SOUTH 88 DEGREES 41 MINUTES 58 SECONDS WEST 4.00 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING SOUTH 88 DEGREES 41 MINUTES 58 SECONDS WEST 1.00 FEET; THENCE NORTH 01 DEGREE 28 MINUTES 16 SECONDS WEST 80.01 FEET; THENCE NORTH 88 DEGREES 35 MINUTES 09 SECONDS EAST 11.01 FEET; THENCE NORTH 01 DEGREE 22 MINUTES 09 SECONDS WEST 49.62 FEET; THENCE NORTH 87 DEGREES 54 MINUTES 53 SECONDS EAST 1.00 FEET; THENCE SOUTH 01 DEGREE 22 MINUTES 09 SECONDS EAST 50.63 FEET; THENCE SOUTH 88 DEGREES 35 MINUTES 09 SECONDS WEST 11.01 FEET; THENCE SOUTH 01 DEGREE 28 MINUTES 16 SECONDS EAST 79.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 141 SQUARE FEET, MORE OR LESS.

TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the ____ day of _____ 2012.

CITY OF HUNTSVILLE, ALABAMA
a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Charles E. Hagood
Clerk-Treasurer

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

Given under my hand and official seal this the _____ day of _____ 2012.

Notary Public

THIS INSTRUMENT PREPARED BY:

James L. McElroy Jr. LLS.
2227 Drake Avenue, Building 10-D
Huntsville, Alabama 35805

Ordinance No. 12-_____ (Cont.)
Cornerstone Builders, LLC

ADOPTED this the 27th day of September, 2012.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 27th day of September, 2012.

Mayor of the City of
Huntsville, Alabama